

Virginia Durable Do Not Resuscitate Protocols for EMS Personnel

March 27, 2002

Virginia Durable Do Not Resuscitate Implementation Protocols For Emergency Medical Service Personnel

The Virginia Durable Do Not Resuscitate (DNR) Order provides the ability to honor a patient's request for humane comfort measures, while avoiding resuscitation. State legislation, originally passed in 1992 and most recently amended in 1999, enables the emergency medical services (EMS) provider to honor such a request, when properly executed in writing and with proper documentation.

The Virginia Durable DNR Order and other authorized DNR Orders (see Page 2) are the only Do Not Resuscitate Orders that can be honored by Virginia EMS personnel.

This document explains Virginia's Durable DNR Protocols and how they apply to the pre-hospital EMS provider.

Important Information about the EMS Do Not Resuscitate Order

The Virginia Department of Health no longer issues the EMS DNR Form. All EMS DNR Orders that were in effect on July 1, 1999, or issued after that date, are considered Durable DNR Orders and shall remain valid until revoked.

Definitions

Virginia Durable Do Not Resuscitate (DNR) Order - A written physician's order, in a form approved by the Board of Health, which authorizes qualified health care personnel to withhold or withdraw cardiopulmonary resuscitation from a particular patient in the event of cardiac or respiratory arrest. Durable DNR Orders can be recognized by qualified EMS personnel at all times and in all settings.

Durable DNR Orders shall not authorize the withholding of other medical interventions, such as intravenous fluids, oxygen or other therapies deemed necessary to provide comfort care or to alleviate pain. [VA. Code Section 54.1-2987.1] Valid EMS DNR Orders are considered Durable DNR Orders and do not expire if issued on or after July 2, 1998.

Alternate Form of Durable DNR Identification (Bracelets/Necklaces) – In conjunction with the issuance of Durable DNR Orders, the Board of Health has authorized an approved bracelet or necklace as an alternate form of Durable DNR Order Identification. Any such alternate form may be utilized to validate the Durable DNR or in place of an original Durable DNR Order. It must contain the following information: patient's full legal name, Durable DNR number on the Virginia Durable DNR form or a number unique to the patient that is assigned by the vendor, the words – Virginia Do Not Resuscitate, vendor's 24-hour phone number and physician's name and phone number.

Virginia Durable DNR Form - Unique document printed on distinctive paper by the Virginia Department of Health. The form has three sections: Physician's Order, Patient's Signature and Signature of Designated Agent or Other Authorized Decision Maker. (See example on page 6.)

Other Do Not Resuscitate Orders - Any DNR Order not issued on the Durable DNR Order Form. These orders must be written or verbally given by a physician, who has a bona fide physician/patient relationship, directing that a patient not be resuscitated. The order must include the patient's full legal name, physician's signature and date issued. Examples of other DNR Orders are:

- DNR Order written for a patient who is currently admitted to a hospital or other health care facility in accordance with accepted medical practice. To be honored by EMS personnel, such other DNR Orders must contain a do not resuscitate determination, physician's signature, date of issue and patient's signature or, if applicable, the person authorized to consent on the patient's behalf. If the patient experiences cardiac or respiratory arrest during transport to another facility, EMS personnel must document in writing on the patient care report that they received a doctor's verbal order or were shown a valid DNR order.
- Direct order by a physician, who is physically present in attendance of a patient in cardiac or respiratory arrest, can be recognized by qualified EMS personnel.

Cardiopulmonary Resuscitation - For the purpose of this protocol means medical procedures including cardiac compression, endotracheal intubation and other advanced airway management, artificial ventilation, and defibrillation and related procedures.

Cardiac Arrest - The cessation of a functional heartbeat.

Qualified emergency medical services personnel - Persons, as defined in § 32.1-111.1, *Code of Virginia*, responsible for the direct provision of emergency medical services in a given medical emergency when acting within the scope of their certification.

Physician - A person licensed to practice medicine in the Commonwealth of Virginia or in the jurisdiction where the treatment is to be rendered or withheld.

Virginia Durable Do Not Resuscitate Protocol - The standardized method or procedure for the withholding or withdrawal of cardiopulmonary resuscitation by qualified health care personnel from patients with a valid DNR order in the event of cardiac or respiratory arrest.

Health Care Facility - Any institution, place, building or agency required to be licensed under Virginia law, including, but not limited to, any hospital, nursing facility or nursing home, adult care residence, assisted living facility or ambulatory surgical center.

Virginia Durable DNR Associated Responsibilities

Patient Responsibility - Make an informed decision concerning withholding or withdrawing resuscitation from cardiac or respiratory arrest. Ensure that family members are aware of this decision and the location of the Virginia Durable DNR Order Form. The patient or family is encouraged to notify its local EMS agency of the decision and meet with agency personnel to discuss their response and care in this situation. The patient should understand that revocation is possible at any time by destroying the Virginia Durable DNR Order Form or removing the approved alternate form of Durable DNR identification or by simply stating (or otherwise indicate) that he or she wishes to be resuscitated.

Physician Responsibility - Discuss the information on the Durable DNR Form with the patient or the person authorized to consent on the patient's behalf.

- Discuss significance of the Durable DNR and its provisions. Make sure the patient knows that his life will not be saved in a cardiac or respiratory arrest emergency.
- Physician signs and issues form
- Physician explains how the Durable DNR Order can be revoked

EMS Agency Responsibility - Educate agency personnel about Virginia's Durable DNR Order, the EMS DNR Order and other DNR orders.

Meet with nursing homes, adult homes, hospitals, home health care nurses and hospice units to educate their personnel about the Virginia Durable DNR Order, other DNR orders and advance directives. Provide information to these health care facilities about what to expect when an EMS agency responds and what the agency needs from the health care facility.

EMS Provider Responsibility - Evaluate the patient's status and needs through assessment. This law applies only to cardiac arrest or respiratory arrest in patients with an original Virginia Durable DNR Order form, bracelet or necklace; EMS DNR Order (valid on or after July 1, 1999); or other DNR orders issued in a hospital or other health care facility.

If there is an emotional confrontation with the patient's family, continue comfort care to the patient. If CPR is indicated and the family insists on resuscitation, transport the patient to the ambulance and contact on-line Medical Direction for further instructions. To avoid the likelihood of this type of misunderstanding, encourage patients and their families to contact the EMS agency in their area and discuss expectations. If you have a question concerning the validity of a Virginia Durable DNR Order, begin resuscitation and contact on-line Medical Direction.

The greatest insurance against misunderstanding among EMS agency staff, the patient and the family is to have an informal meeting of these parties. EMS agency staff members can request the meeting with the patient and significant family members. During this contact, the protocols can be discussed in a general fashion but specific enough so all present are aware of what is and what is not likely to happen. This would help ease the anxiety of all participants and ensure that the patient's wishes will be respected.

If the Virginia Durable DNR Order has been revoked, begin usual treatment of patient, including resuscitation, and notify the patient's physician or on-line Medical Direction.

EMS Agency Operational Medical Director Responsibility - Be a resource about the Virginia Durable DNR and advance directives legislation. Assure that EMS agency policy is consistent with the protocols in this document, which is provided to all EMS agencies. Encourage EMS agency representatives to visit the patient and/or family to initially discuss the agency's role.

Emergency Department Physician Responsibility (On-Line OMD) - Understand the Virginia Durable DNR Order and advance directives legislation. Intervene in pre-hospital management of patient when necessary and be a resource for EMS personnel should problems develop during a call. When necessary, interface with the physician with whom the patient has a bona fide physician/patient relationship.

Virginia Durable DNR Form



Durable Do Not Resuscitate Order

Virginia Department of Health

Order Number: _____ Date Order Written: _____
(Number assigned by physician)

Patient's Full Legal Name _____

Physician's Order

I, the undersigned, state that I have a bona fide physician/patient relationship with the patient named above. I have certified in the patient's medical record that he/she has directed that life-prolonging procedures be withheld or withdrawn in the event of cardiac or respiratory arrest.

I further certify: [must check 1 or 2]

- ☐ 1. The patient is CAPABLE of making an informed decision about providing, withholding or withdrawing a specific medical treatment or course of medical treatment. (Signature of patient is required; see reverse.)
- ☐ 2. The patient is INCAPABLE of making an informed decision about providing, withholding or withdrawing a specific medical treatment or course of medical treatment because he/she is unable to understand the nature, extent or probable consequences of the proposed medical decision, or to make a rational evaluation of the risks and benefits of alternatives to that decision.

If you checked 2 above (the patient is incapable of making an informed decision), check 1, 2 or 3 below:

- ☐ 1. The patient has executed a written advance directive, which directs that life-prolonging procedures be withheld or withdrawn.
- ☐ 2. The patient has executed a written advanced directive which appoints a "Person Authorized to Consent on the Patient's Behalf" with authority to direct that life-prolonging procedures be withheld or withdrawn. (Signature of "Person Authorized to Consent on the Patient's Behalf" is required, see reverse.)
- ☐ 3. The patient has not executed a written advance directive (living will or durable power of attorney for health care). (Signature of "Person Authorized to Consent on the Patient's Behalf" is required, see reverse.)

I hereby direct any and all qualified health care personnel, commencing on the effective date noted above, to withhold cardiopulmonary resuscitation (cardiac compression, endotracheal intubation and other advanced airway management, artificial ventilation, defibrillation and related procedures) from the patient in the event of the patient's cardiac or respiratory arrest. I further direct such personnel to provide the patient other medical interventions, such as intravenous fluids, oxygen or other therapies deemed necessary to provide comfort care or alleviate pain.

Physician's Printed Name _____ Physician's Signature _____ Emergency Phone Number _____

Patient's Signature

I, the undersigned, hereby direct that in case of my cardiac or respiratory arrest, efforts at cardiopulmonary resuscitation not be initiated and not be continued once initiated. I understand that I may revoke these directions at any time by physical cancellation or destruction of this form or by orally expressing a desire to be resuscitated to qualified health care personnel. I also understand that if qualified health care personnel have any doubts about the applicability or validity of this order, they will begin cardiopulmonary resuscitation.

Signature of Patient

Signature of Person Authorized to Consent on the Patient's Behalf

I, the undersigned, hereby certify that I am authorized to provide consent on the patient's behalf by virtue of my relationship to the patient as _____ (in order of priority: designated agent, guardian or committee, spouse, adult child, parent, adult brother or sister, other relative in descending order of blood relationship). In that capacity, I hereby direct that in case of the patient's cardiac or respiratory arrest, efforts at cardiopulmonary resuscitation not be initiated and not be continued once initiated. I understand that I may revoke these directions at any time by physical cancellation or destruction of this form or by orally expressing a desire to be resuscitated to qualified health care personnel. I also understand that if qualified health care personnel have any doubts about the applicability or validity of this order, they will begin cardiopulmonary resuscitation of the patient.

Signature of Person Authorized to Consent on the Patient's Behalf

EMS Personnel Will Look for This Order in the Following Places:

- On the back of the door leading to the patient's bedroom
- On the bedside table, beside the patient's bed
- On the refrigerator
- In the patient's wallet
- On an approved alternate form of identification (bracelet or necklace)

Parts of the Form

- Physician Order with signature
- Patient's Signature
- Signature of Designated Agent or Other Authorized Decision Maker

No Time Limit of Virginia Durable DNR Order – It is valid until revoked.

Copies Versus the Original Form - The original Virginia Durable DNR Order Form should be kept by the patient. The original Virginia Durable DNR Order Form is printed on distinctive paper. EMS personnel must see the original Virginia Durable DNR Form, or the unaltered approved Virginia Durable DNR alternate identification on the patient. It would be helpful to give a copy (for informational purposes) to the patient's physician for his records, the emergency department most likely to receive the patient, and the EMS agency serving the patient. Copies of the Virginia Durable DNR Form can be made only with the consent of the patient or the patient's designated agent or the person authorized to consent on the patient's behalf. However, copies of the original Durable DNR Order are not valid for withholding cardiopulmonary resuscitation.

Distribution of Virginia Durable DNR Forms and Alternate Forms of Durable DNR

Identification (Bracelets/Necklaces) - The Virginia Department of Health issues the Durable DNR Order forms and instructions to physicians, hospitals, nursing homes, hospices and home health agencies. The Virginia Department of Health and health care facilities cannot issue forms directly to a patient. **Only physicians can issue a Durable DNR Order to his or her patient.** Physicians and health care facilities must request the Durable DNR Order forms on office or health care facility letterhead and mail or fax their requests to the Office of Emergency Medical Services, Virginia Department of Health. Any patient with a Durable DNR Order who wants a bracelet or necklace must order these directly from an approved vendor. A list of approved vendors is available from the Office of Emergency Medical Services.

Location of Form in Patient's Residence - To aid in quickly determining DNR status, the original Virginia Durable DNR Order Form should be located at the patient's bedside (bedside table), on the back of the patient's bedroom door or on the refrigerator. When traveling or being transported by ambulance, the original Virginia Durable DNR Form should be with the patient or the patient should wear an approved alternate form of the Durable DNR Order identification. If a patient is using an approved Durable DNR bracelet or necklace as Durable DNR identification, they must wear one of these on their body.

Virginia Durable DNR Protocol

The responding EMS provider should:

1. Perform routine patient assessment and resuscitation or intervention until it is confirmed that the patient has either a Virginia Durable DNR Order or the EMS DNR Order, that was in effect on July 1, 1999.
2. Request the original Virginia Durable DNR Form or the EMS DNR Order or look for either form at the patient's bedside, on the back of the patient's bedroom door, on the refrigerator or in the patient's wallet. If either of these forms has been defaced, consider the DNR Order to be invalid. An approved Durable DNR necklace or bracelet, being worn on the patient's body, can be honored in place of the original Durable DNR form.
3. Make a good faith effort to verify identity of the patient through family, friends, and other health care personnel present or photo ID (such as a driver's license).
4. Be aware that a Virginia Durable DNR or EMS DNR can be revoked by the following persons:
 - The patient, by destroying the Virginia Durable DNR Form or EMS DNR Form or by verbally withdrawing consent to the order.
 - The person authorized to consent on the patient's behalf.
 - A physician who is physically present at the patient's side.
5. Observe standard Durable DNR or EMS DNR orders:

These comforting interventions are encouraged:

- Airway (excluding intubation or advanced airway management)

- Suction
- Supplemental oxygen delivery devices
- Pain medications or intravenous fluids
- Bleeding control
- Patient positioning
- Other therapies deemed necessary to provide comfort care or to alleviate pain

Contact patient's physician or On-Line Medical Direction if questions or problems arise.

These resuscitative measures should be avoided:

Withhold or withdraw if resuscitation has begun prior to confirmation of Virginia Durable DNR status:

- Cardiopulmonary resuscitation (CPR)
- Endotracheal intubation or other advanced airway management
- Artificial ventilation
- Defibrillation
- Cardiac resuscitation medications
- Continuation of related procedures, as prescribed by the patient's physician or medical protocols

6. Document the call:

- a. Complete the standard Pre-Hospital Patient Care Report (PPCR) or agency run report and document which identification was used to confirm DNR status: Virginia Durable DNR Order form, bracelet or necklace; EMS DNR Order form; or other DNR form.
- b. Indicate the Virginia Durable DNR Order form number and the patient's attending physician's name.
- c. Comfort the family if, on arrival, the patient has expired and follow agency's procedure for death at home.

**For more information or clarification on Virginia's Durable DNR program contact:
 Ruth Robertson, Public Relations and Marketing Manager, Office of Emergency Medical
 Services, Virginia Department of Health, 1538 East Parham Road, Richmond, VA 23228
 804-371-3500 . 800-523-6019
www.vdh.state.va.us/oems**